

Claim 18 appears without amendment as a courtesy to the Examiner.

18. The door lock as claimed in claim 17, wherein at least a restoring spring of the rotary latch and/or a restoring spring of a driving lever (30) acting on said rotary latch ensures that the drive element is prestressed.

R E M A R K S

Claims 10-13, 17 and 18 are pending in this application with Claim 10 being amended and claims 14 - 16 cancelled by this response.

In the Office Action the drawings were objected to under 37 CFR 1.83(a) because the drawings must show every feature of the invention specified in the claims, namely "restoring spring" (claims 11, 18) must be shown or the feature(s) cancelled from the claim(s). The attached drawing sheet shows Figures 1-3 amended in red ink to include the restoring spring 56 of the driving lever 30 and a restoring spring 58 of the rotary latch 14. The proposed drawing amendments further include an auxiliary opening lever 60. Amended drawings showing the amendments in red are being provided herewith for the approval of the Examiner. Support for the addition of the restoring spring 56 of the driving lever, the restoring spring 58 of the rotating latch 14, and the auxiliary opening lever 60 are shown throughout the specification. Specifically, the restoring spring 56 of the driving lever is discussed on page 2, lines 21-22, the restoring spring of the rotating latch is shown on page 2, lines 15-19, And

the auxiliary opening lever is discussed on page 3, lines 22-27. Formal drawings including these amendments will be filed upon receipt of approval from the Examiner. It is respectfully submitted that no new matter is added by these amendments. In view of the above remarks and amendments to the drawings, it is respectfully submitted that objection has been satisfied and should be withdrawn.

Claim 10 was objected to because the phrase "in particular" is vague as stated in the Office Action. Claim 10 has been formally amended in accordance with the Examiners suggestion to remove the phrase "in particular". Based on the above remarks and formal amendment to claim 10, it is respectfully submitted that the objection has been satisfied and should be withdrawn.

Claim 11 was objected to because the phrase "prestresssing" should be corrected to --prestressing-. Upon review of this objection, applicant believes that the Examiner intended to object to claim 17 as the objected to phrase is not present in claim 11 but is present in claim 17. Therefore, claim 17 has been formally amended to correct the noted informalities as suggested by the Examiner. In view of the above remarks and amendment to claim 17, it is respectfully submitted that the objection has been satisfied and should be withdrawn.

Claims 10-13 and 17-18 were rejected under 35 USC 102(b) as anticipated by Azuma US Patent No. 5,806,246 on the grounds set forth in the Office Action.

Claim 10 has been amended to add the limitations of claims 14, 15, and 16. Based on the amendment to claim 10, the present claimed invention recites a door lock having a rotary latch (14) and a closing aid (10) which acts on the latter and, with aid of a drive, carries along a door to be closed over a last section into closed position. The drive of the closing aid (10) is separated structurally from the door lock (12) and a flexible drive element (24) is provided for transmitting force from the drive to the rotary latch (14). The flexible drive element undergoes a change in direction with aid of at least one deflection roller (26). The deflection roller (26) is moveable from its normal position into an auxiliary opening position shortening path of the drive element. The deflection roller (26) is arranged on a toggle lever (38) which is foldable in by actuation of an auxiliary opening device.

Azuma recites a latching mechanism having a rotary latch 103, and a closing aid B1, and with the aid of a drive M2 carries along a door to be closed over a last section into a closed position, wherein the drive M2 of the closing aid B1 is separated structurally from the door lock B2, and a flexible drive element 91 is provided fo transmitting force from the drive B2 to the rotary latch 103. However, as acknowledged by the Examiner, Azuma neither discloses nor suggests that the flexible drive element undergoes a change in direction with the aid of at least one deflection roller as in the present claimed invention.

Additionally, Azuma neither discloses nor suggests that the deflection roller is moveable from its normal position into an auxiliary opening position shortening the path of the drive

element. Furthermore, Azuma neither discloses nor suggests that the deflection roller is arranged on a toggle lever which is foldable in by actuation of an auxiliary opening device as in the present claimed invention. Therefore, it is respectfully submitted that the present claimed invention is not anticipated by Azuma. In view of the above remarks and amendment to claim 10, it is further respectfully submitted that the rejection has been satisfied and should be withdrawn.

Claims 14-16 were rejected under 35 USC 103(a) as unpatentable over Azuma US Patent No. 5,806,246 for the reasons stated in the Office Action.

Based on the amendment to claim 10 which incorporates the limitations of cancelled claims 14 -16, the present claimed invention recites a device for an auxiliary release of a door lock which can be released when a closing aid is activated by having a deflection roller arranged on a toggle lever which is foldable by actuation of an auxiliary opening device.

The torsion coil spring 26 of Azuma is not like the toggle lever of the present claimed invention. Additionally, the tension pulley 20 of Azuma is not like the deflection roller of the present claimed invention. Finally, the actuator 12 of Azuma is not like the auxiliary opening device of the present claimed invention.

The tension pulley 20 of Azuma only functions to urge the cable 16 laterally by means of the tension coil spring 26 so as to

provide a suitable tension in the cable (see column 7, lines 60 to 62). Furthermore, as described in column 9, lines 55 to 65 of Azuma, the actuator 12 drives the drum 11 to rotate thereby winding the cable 16a around the drum 11 and causing the second cable 16b to be unwound such that the loop of cables 16a, 16b circulates in a single direction. Azuma neither discloses nor suggests a toggle lever and an auxiliary opening device to fold a toggle lever as in the present claimed invention.

As acknowledged by the Examiner, Azuma neither discloses nor suggests a flexible drive element which undergoes a change in direction with the aid of at least one deflection roller as in the present claimed invention. Also, as acknowledged by the Examiner, Azuma neither discloses nor suggests a deflection roller that is moveable from its normal position into an auxiliary opening position shortening the path of the drive element as in the present claimed invention. Furthermore, Azuma, as acknowledged by the Examiner, neither discloses nor suggests a deflection roller arranged on a toggle lever which is foldable in by actuation of an auxiliary opening device as in the present claimed invention.


In view of the above remarks and amendment claim 10, it is respectfully submitted that the present claimed invention is not unpatentable over Azuma. Therefore, it is further respectfully submitted that the rejection has been satisfied and should be withdrawn.

In the event there are further issues remaining in any respect the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Attached hereto is a marked-up version of the changes made to the specifications and claims by the current amendment. The attached pages are captioned "Version with markings to show changes".

Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.


Respectfully submitted,  
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CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Amendment and Request for Drawing Correction Approval are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patent & Trademark, Washington D.C. 20231, on December 30, 2002.

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